

REMARKS/ARGUMENTS

After the foregoing amendment, claims 29-40 are pending in this Application. Claims 1-5, 7-19, and 21-28 are canceled in the present reply. Claims 1-5, 7-19, and 21-28 were rejected by the Examiner. Claims 29-40 are newly added and are directed to similar subject matter as claims 1-5, 7-19, and 21-28. The Applicant respectfully submits that all claim amendments and new claims 29-40 are fully supported in the specification and/or drawings and that no new matter has been added.

35 U.S.C. §112

Claims 1 and 15

The Examiner rejected claims 1 and 15 under 35 U.S.C. §112, first paragraph. Both claims 1 and 15 are canceled in the present reply and Applicants therefore respectfully request withdrawal of the 35 U.S.C. §112 rejection.

35 U.S.C. §103(a)

Claims 1-5, 7-19, and 21-28

The Examiner rejected claims 1-5, 7-19, and 21-28 under 35 U.S.C. §103(a) as being unpatentable over Sawyer et al. (WIPO Pub. No. WO 01/69864), and further in view of Shepherd et al. (WIPO Pub. No. WO 01/31960).

The Sawyer reference discloses sending regular inquiry messages, and if necessary establishing a connection with any responding device, and transmitting a

request to switch off its connection capability. That presumes that the responding device is not already part of a network, in particular a closed network. It provides no suggestion for how to deal with a pre-existing network.

The Shepherd reference discloses listening for inquiry messages or page messages on several different frequencies; and replies with a modified inquiry response message issuing "a specially designated device address, to signify that the inquiry process should be suspended..... The specially designated device address is effectively a command to suspend transmission." Again, this does not deal with the problem of another device being part of a network that is already in operation, in particular a closed network. Furthermore, it necessitates a modification to the standard protocol, by requiring that "the specially designated device address is... a command to suspend transmission".

The new claims of the present application, on the other hand, resolve the problem of closing down pre-existing networks, and utilize the concept of impersonating or mimicking a station that is within such a network, which is not disclosed, taught, or suggested by the Sawyer or Shepherd references, whether taken alone or in combination with one another.

Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the Applicant's undersigned attorney by telephone at the Examiner's convenience.

In view of the foregoing remarks and amendments, the Applicant respectfully submits that the present application is in condition for allowance and a notice to that effect is respectfully solicited.

Respectfully submitted,

Caldwell et al.

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